

measures,²¹ requirements for ONA, which is intended to expand enhanced service provider access to the local exchange network. ONA rules require the BOCs to unbundle their basic networks into tariffed basic service elements, which are to be available to both the carriers' own enhanced service operations and to other users on an equal basis. One goal of ONA, therefore, is to make carrier discrimination technically difficult or impossible and to thereby reduce the need for regulation.

In addition, the Commission has determined that ONA produces public interest benefits beyond those associated with non-structural competitive safeguards.²² As the Commission has noted, another major goal of ONA is to increase opportunities for enhanced service providers "to use the BOCs' regulated networks in highly efficient ways, enabling them to expand their markets for their present

21. In addition to imposing ONA requirements, the Commission adopted Comparably Efficient Interconnection ("CEI"), which would provide competitor enhanced service providers with "equal access" to basic network services at the same rates paid by local exchange carriers. See, e.g., Notice at 21 (¶ 33). The Commission also established certain other non-structural safeguards to protect against discriminatory activity. These safeguards are discussed infra, at section B.3.

22. See, e.g., Computer III Remand Proceedings, CC Docket No. 90-368, FCC 90-415 at 7 (¶ 11) (released Dec. 17, 1990).

services, and develop new offerings as well, all to the benefit of consumers."²³

The Commission has not made ONA requirements applicable to independent local exchange carriers, including those controlled by GTE Corporation. Thus, users accessing independent networks will continue to be denied the benefits of the Commission's ONA policies. The State submits that there is no justifiable factual or legal basis for denying these benefits to the public or to the State of Hawaii.

3. Other Non-Discrimination Safeguards

The Commission tentatively has decided to apply other "non-discrimination" safeguards to the BOCs, but not to other local exchange carriers.²⁴ The State submits that the market situation warrants the Commission to extend these rules to GTE Corporation, or alternatively to GTE Hawaiian.

Generally, the Commission proposes to reinstate three non-structural safeguards that are designed to ensure enhanced service providers are able to obtain non-discriminatory access to the local exchange network. The first measure would require the BOCs to file quarterly non-discrimination reports regarding the timing of installation and maintenance, as well as annual affidavits attesting to

23. Id.

24. See Notice at 21-24 (¶¶ 33-40).

the quality and reliability of the basic services provided to competitors.²⁵ The second safeguard would ensure that enhanced services providers are timely provided technical information regarding any network modifications affecting their interconnection.²⁶ Third, the Commission proposes to adopt amended rules regarding customer proprietary network information ("CPNI"). Although the Commission seeks comment on the specifics of how CPNI should be implemented, this safeguard generally would ensure that carrier access to customer information will be used in a manner that respects customer privacy and prevents discriminatory use of such information.²⁷

Each of these safeguards serves an important function in deterring discriminatory conduct in the absence of structural separation. There is no good reason why these safeguards should not apply to GTE or GTE Hawaiian given their position in the the local exchange market.

4. Accounting Safeguards

In contrast to those safeguards discussed above, which would deter discriminatory activity, the Commission has implemented accounting measures that are intended to

25. See id. at 22 (¶ 35).

26. See id.

27. See id.

detect improper cost-shifting between regulated and unregulated operations. The Commission tentatively has decided to "strengthen" its cost accounting safeguards, and to apply these measures to all Tier 1 local exchange carriers.²⁸ In particular, the revised accounting measures would require that: (1) all carriers treat enhanced services as unregulated for purposes of cost accounting; (2) independent auditors subject accounting audits to the same rigors accorded to financial statement audits; (3) the Common Carrier Bureau ("CCB") study and take steps necessary to achieve greater uniformity in carrier cost allocation manuals; (4) the carriers quantify any such changes in cost allocation manuals; and (5) the CCB also study whether or not to establish a reasonable threshold for determining the materiality of errors and omissions in carrier reports.²⁹ These safeguards would apply to GTE, and should be fully applicable and implemented immediately for GTE.

Furthermore, in order to ensure the meaningful enforcement of affiliate transaction rules, the State submits that the accounting rules need additional changes. In particular, carrier information currently provided does not contain sufficient detail to assess the accuracy of fair

28. See id. at 3 (¶ 3), 17 & n.64 (¶ 26).

29. See generally id. 17-18 (¶ 26).

market valuations provided as comparison to intra-corporate affiliated transactions. As has been previously suggested to the Commission, the State agrees that carriers should be required to footnote the sources of the information provided in the fair market valuation figures, as well as to provide descriptions of assets acquired.³⁰ If such changes are not made to the Commission's rules, it is impossible to determine not only whether carrier allocations are appropriate, but also whether the cost levels of affiliate transactions are reasonable. The current accounting rules do not adequately safeguard against potential abuses.

By way of example, the Hawaii Public Utility Commission ("Hawaii PUC") has been concerned that the data available on GTE Hawaiian is inadequate to determine whether or not the carrier is in compliance with affiliated transaction rules. Accordingly, the Hawaii PUC has undertaken a lengthy investigation on GTE Hawaiian's procurement of central office switching equipment from a corporate affiliate.³¹

The Hawaii PUC is conducting a similar investigation in the area of corporations affiliated with GTE Hawai-

30. See Revision of Annual Report Form M, DA 89-503 at 10-11 (released May 12, 1989), DA 89-519 (released May 31, 1989) (errata).

31. See GTE Hawaiian Telephone Company, Inc., HPUC Docket No. 6263, Decision and Order (released June 13, 1990).

ian. As a result of recent operational re-organizations, GTE operating companies are now parties to an "operating agreement" in which specific functions of the corporation were centralized in various operating companies in order to generate efficiencies. Contrary to the anticipated savings, however, corporate expenses have escalated. As a result, GTE's corporate re-organization, the "operating agreement," and the threatened loss of auditable trails of the affiliated transactions are matters of a recently inaugurated State investigation.³²

Thus, the Commission must require that carriers provide substantially more detailed information to assist both independent auditors and governmental auditors in assessing fair market valuations. Without such requirements, the Commission's current affiliate transaction rules are inadequate to protect ratepayers.

III. STRUCTURAL SEPARATION IS THE MOST EFFECTIVE MEANS OF PREVENTING ANTICOMPETITIVE ABUSE IN THE ENHANCED SERVICES MARKET

The Commission has tentatively decided to eliminate structural separation requirements and rely solely on non-structural competitive safeguards to guard against anticompetitive abuses in the enhanced services

32. See Order of Investigation: GTE Hawaiian Telephone Company, Inc., HPUC Docket No. 6801 (released Sept. 14, 1990).

marketplace.³³ The State believes that structural separation is both more effective and more efficient in preventing such conduct by minimizing the opportunity for cross-subsidization and discrimination before it has a chance to develop. Conversely, the implementation of non-structural safeguards would require a far higher level of Commission monitoring. Thus, the costs associated with the Commission's proposals would outweigh those resulting from corporate separations requirements.

IV. CONCLUSION

For the reasons stated above, the State believes the Commission should subject GTE Corporation, or, in the alternative, GTE Hawaiian, to all competitive safeguards that the Commission prescribes for the BOCs. In addition, the State urges the Commission to amend its affiliated transaction rules in order to provide adequate information to determine whether or not carriers are adhering to the Commission's affiliate transaction rules. Finally, although the State has focused these comments on the imposition of non-structural safeguards, the State still believes that

33. See Notice at 9-10 (¶¶ 12-13).

structural separation is the most effective means of preventing anticompetitive conduct in the enhanced services market.

Respectfully submitted,

THE STATE OF HAWAII

A large, stylized handwritten signature in black ink, appearing to read 'Herbert E. Marks', is written over the printed name and extends to the right.

Herbert E. Marks, Esq.
Jody D. Newman, Esq.
SQUIRE, SANDERS & DEMPSEY
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20004
(202) 626-6600

Attorneys for the State of
Hawaii

March 8, 1991

CERTIFICATE OF SERVICE

I, Dana M. Pass, hereby certify that copies of the foregoing Comments of the State of Hawaii were served by hand upon the following parties this 8th day of March, 1991.

Alfred C. Sikes
Chairman
Federal Communications
Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Andrew C. Barrett
Commissioner
Federal Communications
Commission
1919 M Street, N.W.
Room 844
Washington, D.C. 20554

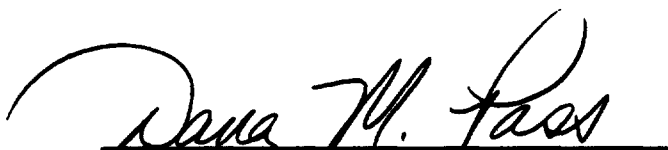
Ervin S. Duggan
Commissioner
Federal Communications
Commission
1919 M Street, N.W.
Room 832
Washington, D.C. 20554

Sherrie P. Marshall
Commissioner
Federal Communications
Commission
1919 M Street, N.W.
Room 826
Washington, D.C. 20554

James H. Quello
Commissioner
Federal Communications
Commission
1919 M Street, N.W.
Room 802
Washington, D.C. 20554

Policy and Program Planning
Division
Common Carrier Bureau
Federal Communications
Commission
1919 M Street, N.W.
Room 544
Washington, D.C. 20554

Downtown Copy Center
c/o Federal Communications
Commission
1919 M Street, N.W.
Room 246
Washington, D.C. 20554


Dana M. Pass

TAB

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Computer III Remand Proceedings:)	CC Docket No. 90-623
Bell Operating Company Safeguards;)	
and Tier 1 Local Exchange Company)	
Safeguards)	

REPLY COMMENTS OF THE STATE OF HAWAII

Herbert E. Marks, Esq.
Jody D. Newman, Esq.
SQUIRE, SANDERS & DEMPSEY
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044
(202) 626-6600

Attorneys for the State
of Hawaii

April 8, 1991

TABLE OF CONTENTS

	<u>Page</u>
I. THE RECORD IN THIS PROCEEDING DOES NOT SUPPORT THE DISCRIMINATORY TREATMENT OF GTE CORPORATION.....	1
II. THE COMMISSION MUST CLARIFY ANY DISTINCTIONS THAT MAY JUSTIFY DIFFERENT TREATMENT OF GTE AND THE BOCS.....	2
III. THE COMMISSION'S PROPOSAL MAY DENY THE BENEFITS OF COMMISSION POLICIES TO THE STATE OF HAWAII.....	3
IV. CPNI RULES SHOULD ENSURE EQUITY AMONG CARRIER AND NON-CARRIER ENHANCED SERVICE PROVIDER ACCESS TO CUSTOMER INFORMATION.....	4
V. STATE REGULATORS SHOULD HAVE FULL ACCESS TO AFFILIATE TRANSACTION RECORDS.....	4
VI. CONCLUSION.....	6

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Computer III Remand Proceedings:)	CC Docket No. 90-623
Bell Operating Company Safeguards;)	
and Tier 1 Local Exchange Company)	
Safeguards)	

REPLY COMMENTS OF THE STATE OF HAWAII

The State of Hawaii ("State" or "Hawaii"),¹ by its attorneys, hereby replies to the comments that were filed in response to the above-captioned Notice of Proposed Rule-making ("Notice")² on or about March 8, 1991.

I. THE RECORD IN THIS PROCEEDING DOES NOT SUPPORT THE DISCRIMINATORY TREATMENT OF GTE CORPORATION.

The State of Hawaii respectfully submits that there is no factual justification presented in either the Notice or the initial comments in this proceeding that support treating GTE Corporation ("GTE") different from the Bell Operating Companies ("BOCs"). Because there is no evidentiary record established to support the discriminatory

-
1. These reply comments are filed by the State of Hawaii, acting through its Governor and the State's Department of Commerce and Consumer Affairs.
 2. Computer III Remand Proceedings: Bell Operating Company Safeguards; and Tier 1 Local Exchange Company Safeguards, 6 FCC Rcd 174 (1990).

treatment of GTE, that company -- or, alternatively, GTE Hawaiian Telephone Company, Inc. ("GTE Hawaiian") -- should be subject to all competitive safeguards that are applied to the BOCs.

II. THE COMMISSION MUST CLARIFY ANY DISTINCTIONS THAT MAY JUSTIFY DIFFERENT TREATMENT OF GTE AND THE BOCs.

In California v. FCC, the U.S. Court of Appeals for the Ninth Circuit pointedly remarked upon the Commission's failure to treat GTE and the BOCs in a consistent fashion.³ In this regard, the court of appeals noted that "the Commission's haphazard treatment of GTE illustrates the ad hoc nature of its reasoning."⁴ The court further noted that "the Commission neither defined the 'national market' at issue nor explained why it drew its regulatory line between national market power and substantial regional market power such as that enjoyed by [GTE and Contel]."⁵

The court's comments regarding the different treatment of GTE demonstrates the Commission's recurring failure to justify its determinations in a fashion required by administrative and judicial precedent. In order to

3. See California v. FCC, 905 F.2d 1217, 1225 n.10, 1236-37 (9th Cir. 1990).

4. Id. at 1225 n.10.

5. Id. at 1225. The recent merger of GTE and Contel now provides GTE with market power well beyond the level that existed at the time the Ninth Circuit noted its concern.

remedy this situation, it is imperative that the Commission thoroughly examine the basis for its determinations. In doing so, the Commission should recognize that the prominent market posture of GTE is now equal to, or greater than, that of any particular BOC. And, in the case of Hawaii, the Commission should recognize in particular that GTE Hawaiian is the sole exchange carrier for the entire state. Thus, in order to arrive at a legally supportable decision in this proceeding, the Commission must fully support with relevant evidence any distinctions that may justify treating GTE differently from the BOCs.

III. THE COMMISSION'S PROPOSAL MAY DENY THE BENEFITS OF COMMISSION POLICIES TO THE STATE OF HAWAII.

The State notes the acknowledgement of the U.S. Department of Justice that Open Network Architecture ("ONA") is a key ingredient to the Commission's proposal.⁶ Despite the importance of this policy in promoting the non-discriminatory and efficient use of the network, the Commission's proposal excludes GTE from the requirement to provide either ONA or Comparably Efficient Interconnection ("CEI"), even though the entire State of Hawaii is served by a GTE operating company. Thus, if the Commission's proposal stands, Hawaii may be denied the benefits of the Commis-

6. See Comments of U.S. Department of Justice at 2, 4. All comments cited in this reply were filed in CC Docket No. 90-623 on or about March 8, 1991.

sion's policies for imposing competitive safeguards, particularly with regard to the implementation of ONA.

IV. CPNI RULES SHOULD ENSURE EQUITY AMONG CARRIER
AND NON-CARRIER ENHANCED SERVICE PROVIDER ACCESS
TO CUSTOMER INFORMATION.

Similarly, the State concurs with other states⁷ that, at a minimum, consumers should be accorded certain rights, such as prior authorization, with respect to the release of Customer Propriety Network Information ("CPNI"). The State agrees that CPNI rules should ensure equity among carrier and non-carrier enhanced service provider access to customer information. And, it is important to point out that, again, GTE is not currently required to abide by CPNI rules, even though GTE provides services such as telemessaging on an integrated basis.

V. STATE REGULATORS SHOULD HAVE FULL ACCESS TO
AFFILIATE TRANSACTION RECORDS.

The State supports the National Association of Regulatory Utility Commissioners ("NARUC") in its assessment

7. See, e.g., Comments of People of State of California and Public Utilities Commission of State of California at 9-10; Comments of the Public Service Commission of District of Columbia at 29; Comments of Florida Public Service Commission at 12-13; Comments of Illinois Commerce Commission at 6; Comments of Pennsylvania Office of Consumer Advocate at 11-15; Comments of Pennsylvania Public Utility Commission at 12; Comments of New York State Department of Public Service at 11-12; Comments of Southwest Regional Regulatory Group at 10-13.

that the FCC should ensure all state regulators have full access to all records of any company affiliated with local exchange companies, for the purpose of reviewing transactions involving enhanced services.⁸ Given the heightened threat of cross-subsidy that the Commission's proposed plan presents, it will be necessary for the financial records of all affiliates to be made available to both state and federal regulators.⁹ The Commission has relied incorrectly on the unrealistic assumption that the improved effectiveness of state regulation will protect against improper cost-shifting.¹⁰ Without state access to all affiliate transaction records, such an assumption clearly is unwarranted. At a minimum, federal and state regulators should share information regarding enforcement of any safeguards adopted.¹¹

8. See Comments of National Association of Regulatory Utility Commissioners at 16 [hereinafter "NARUC Comments"]. See also Comments of Public Service Commission of District of Columbia at 32-33 & n.21 (separate subsidiaries should be subject to both federal and state affiliate transaction rules).

9. See NARUC Comments at 12, 16-17.

10. Indeed, the court of appeals characterized this as a "bald assertion." California v. FCC, 905 F.2d at 1237.

11. See NARUC Comments at 17.

VI. CONCLUSION

For these reasons, the State of Hawaii respectfully requests that the Commission apply to GTE -- or, alternatively, GTE Hawaiian -- the same competitive safeguards as it applies to the BOCs. In particular, the Commission should ensure that the State is not denied the benefits of the Commission's competitive policies, particularly those regarding ONA. The State also agrees that CPNI rules should ensure equity among carrier and non-carrier enhanced service provider access to customer information. Finally, the Commission should permit state regulators full access to carrier-affiliated transaction records.

Respectfully submitted,

THE STATE OF HAWAII



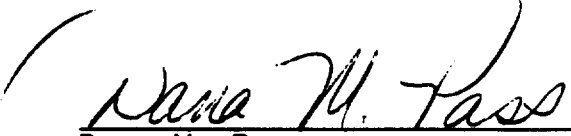
Herbert E. Marks, Esq.
Jody D. Newman, Esq.
SQUIRE, SANDERS & DEMPSEY
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044
(202) 626-6600

Attorneys for the State
of Hawaii

April 8, 1991

CERTIFICATE OF SERVICE

I, Dana M. Pass, hereby certify that copies of the foregoing reply comments of the State of Hawaii were served by hand or by First Class U.S. mail, postage prepaid, upon the parties appearing on the attached service list, this 8th day of April, 1991.


Dana M. Pass

Alfred C. Sikes
Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Policy and Program Planning Division
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

Andrew C. Barrett
Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20554

International Transcription
Services, Inc.
Suite 140
2100 M Street, N.W.
Washington, D.C. 20037

Ervin S. Duggan
Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

William A. Broadhead
Executive Vice President,
Operations
AccessPlus Communications, Inc.
Suite 300
325 118th Avenue, S.E.
Bellevue, Washington 98005

Sherrie P. Marshall
Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 826
Washington, D.C. 20554

Herbert E. Marks
Joseph P. Markoski
Ann J. LaFrance
Kerry E. Murray
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044

James H. Quello
Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, D.C. 20554

James S. Blaszak
Charles C. Hunter
Gardner, Carton & Douglas
Suite 750-N
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Lee L. Selwyn
William Page Montgomery
Economics and Technology, Inc.
101 Tremont Street
Boston, Massachusetts 02108

Wayne V. Black
C. Douglas Jarrett
Brian T. Ashby
Keller and Heckman
Suite 1000
1150 17th Street, N.W.
Washington, D.C. 20036

Benjamin H. Dickens, Jr.
Gerard J. Duffy
Blooston, Mordkofsky,
Jackson & Dickens
Suite 300
2120 L Street, N.W.
Washington, D.C. 20037

Albert H. Kramer
Robert F. Aldrich
Keck, Mahin, Cate
Penthouse Suite
1201 New York Avenue, N.W.
Washington, D.C. 20005

Benjamin A. McKnight
Chairman, AICPA Public
Utilities Commission
Arthur Andersen
6th Floor
33 West Monroe Street
Chicago, Illinois 60603

Francine J. Berry
David P. Condit
Edward A. Ryan
American Telephone and
Telegraph Company
295 North Maple Avenue
Room 3244J1
Basking Ridge, New Jersey 07920

Richard E. Wiley
Michael Yourshaw
Katherine A. King
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Floyd S. Keene
Brian R. Gilomen
Michael S. Pabian
Ameritech Operating Companies
39th Floor
30 South Wacker Drive
Chicago, Illinois 60606

W. Terry Maguire
Claudia M. James
Brigette M. Rouson
American Newspaper Publishers
Association
Dulles Airport
P.O. Box 17407
Washington, D.C. 20004

Hollis G. Duensing
General Solicitor
The Association of American
Railroads
50 F Street, N.W.
Washington, D.C. 20001

R. Michael Senkowski
Jeffrey S. Linder
John C. Hollar
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

John K. Rose
William D. Baskett III
Thomas E. Taylor
Frost & Jacobs
2500 Central Trust Center
201 East Fifth Street
Cincinnati, Ohio 45202

James R. Young
Lawrence W. Katz
Bell Atlantic Telephone Companies
1710 H Street, N.W.
Washington, D.C. 20006

Phillip D. Mink
Michele A. Isele
Citizens for a Sound
Economy Foundation
East Building, Suite 7112
470 L'Enfant Plaza, S.W.
Washington, D.C. 20024

William B. Barfield
Thompson T. Rawls II
A. Kirven Gilbert III
BellSouth Corporation
Suite 1800
1155 Peachtree Street, N.E.
Atlanta, Georgia 30367-6000

Stephen D. Ruud
Commission Counsel
Colorado Public Utilities
Commission
1580 Logan Street, OL-2
Denver, Colorado 80203

Henry D. Levine
Mary K. O'Connell
Morrison & Foerster
Suite 5500
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

CompuServe Incorporated
5000 Arlington Centre Boulevard
P.O. Box 20212
Columbus, Ohio 43220

Carol F. Sulkes
Vice President,
Regulatory Policy
Central Telephone Company
8745 West Higgins Road
Chicago, Illinois 60631

Randolph J. May
Richard S. Whitt
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Peter B. Kenney, Jr.
Baker & Hostetler
Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

Daniel L. Bart
Suite 1200
1850 M Street, N.W.
Washington, D.C. 20036

Philip L. Verveer
Sue D. Blumenfeld
John L. McGrew
Willkie Farr & Gallagher
Three Lafayette Centre
Suite 600
1155 21st Street, N.W.
Washington, D.C. 20036

John P. Kelliher
Special Assistant Attorney General
Illinois Commerce Commission
Suite 810
180 North LaSalle Street
Chicago, Illinois 60601

Richard C. Bellak
Associate General Counsel
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0862

Herbert E. Marks
James L. Casserly
Amy O. Scott
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044

Robert C. MacKichan, Jr.
Vincent L. Crivella
Michael J. Ettner
General Services Administration
Room 4002
18th and F Streets, N.W.
Washington, D.C. 20405

Independent Telecommunications
Network, Inc.
Gilbert/Robinson Plaza
Suite 400
Two Brush Creek Boulevard
P.O. Box 30210
Kansas City, Missouri 64112

Richard McKenna, W11L15
GTE Service Corporation
P.O. Box 152092
Irving, Texas 75015-2092

John F. Dodd
Brad I. Pearson
Smith, Gill, Fisher & Butts
One Kansas City Place
35th Floor
1200 Main Street
Kansas City, Missouri 64105-2107

Angela Burnett
Staff Counsel
Information Industry Association
Suite 800
555 New Jersey Avenue, N.W.
Washington, D.C. 20002

James U. Troup
Arter & Hadden
Suite 400
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

F. Sherwood Lewis
F. Sherwood Lewis, P.C.
Suite 700
1776 K Street, N.W.
Washington, D.C. 20006

Frank W. Krogh
Donald J. Elardo
MCI Telecommunications
Corporation
1133 19th Street, N.W.
Washington, D.C. 20036

J. Roger Wollenberg
W. Scott Blackmer
Jonathan Jacob Nadler
Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, D.C. 20037

Douglas E. Neel
Vice President,
Regulatory Affairs
MessagePhone, Inc.
Suite 1575
5910 North Central Expressway
Dallas, Texas 75206

Timothy B. Hackman
International Business Machines
Corporation
2000 Purchase Street
Purchase, New York 10577

Don L. Keskey (P 23003)
Henry J. Boynton (P 25242)
Assistant Attorneys General
Michigan Public Service Commission
Suite 11
1000 Long Boulevard
Lansing, Michigan 48911

Brian R. Moir
Larry A. Blosser
Michelle N. Plotkin
Joan A. Sullivan
Fisher, Wayland, Cooper
and Leader
Suite 800
1255 23rd Street, N.W.
Washington, D.C. 20037

Henry L. Baumann
Terry L. Etter
National Association of
Broadcasters
1771 N Street, N.W.
Washington, D.C. 20036

Paul Rodgers
Charles D. Gray
James Bradford Ramsay
National Association of
Regulatory Commissioners
1102 ICC Building
P.O. Box 684
Washington, D.C. 20044

W. Benny Won
Assistant Attorney General
Public Utility Section
Oregon Public Utility Commission
Oregon Department of Justice
General Counsel Division
Justice Building
Salem, Oregon 97310

Jean M. Prewitt
Phyllis E. Hartsock
National Telecommunications
and Information Administration
U.S. Department of Commerce
Room 4713
14th St. and Constitution Ave., N.W.
Washington, D.C. 20230

James P. Tuthill
Jeffrey B. Thomas
Pacific Bell and Nevada Bell
Room 1522-A
140 New Montgomery Street
San Francisco, California 94105

David Cosson
L. Marie Guillory
National Telephone Cooperative
Association
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

Stanley J. Moore
Pacific Bell and Nevada Bell
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

William J. Cowan
General Counsel
New York State Public
Service Commission
Three Empire State Plaza
Albany, New York 12223

Irwin A. Popowsky
Philip F. McClelland
Pennsylvania Office of
Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

Saul Fisher
Mary McDermott
Campbell L. Ayling
Shelley E. Harms
NYNEX Telephone Companies
120 Bloomingdale Road
White Plains, New York 10605

Susan D. Simms
Cheryl Walker Davis
Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120